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PORNOGRAPHY AND SEXUAL AGGRESSION

Scott Douglas Van Horn
B.G.S., Chaminade University of Honolulu, 1983

THESIS

Submitted in partial satisfaction of
the requirements for the degree of

MASTER OF SCIENCE

in

CRIMINAL JUSTICE

at

CALIFORNIA STATE UNIVERSITY, SACRAMENTO

FALL
1991

Abstract
of
PORNOGRAPHY AND SEXUAL AGGRESSION
by

Scott Douglas Van Horn

Statement of the Problem

Pornography in America is a 4-8 billion dollar a year business. Society has long been concerned about the effects obscene material may have on its members. In particular, there are those who claim pornography and sexual aggression is a cause and effect relationship. Others contend pornography, while offensive to most, is basically harmless. This study examines pornography, concentrating on the pornography/aggression linkage.

Sources of Data

A comprehensive review of the current literature on pornography and its effect on society was accomplished. The literature included books, journals, reports, and case law obtained from the following sources: libraries at both the University of California, Davis and California State University at Sacramento.

Conclusions Reached

→ This study confirms the complexities involved in trying to neatly plug a controversial social issue into a scientific formula; cause and effect. Clearly, emotion runs high on both sides of the issue and a consensus as to the effects of pornography upon our society appears unreachable, at least at this point in time. Future field research is critical if progressive efforts are to be made in an effort to answer the many unresolved questions. The future challenge for social scientists is to construct research designs which can accurately measure the perceived pornography problem in the arena where it actually exists.

Thomas R. Phelps

-----, Committee Chair
Thomas R. Phelps

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Captain, USAF
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PORNOGRAPHY AND SEXUAL AGGRESSION

A Thesis

by

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Thomas R. Phelps, Graduate Coordinator

11 September 1991
Date

Department of Criminal Justice

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PORNOGRAPHY AND SEXUAL AGGRESSION
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Statement of the Problem

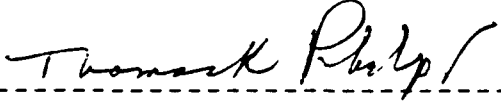
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-----, Committee Chair
Thomas R. Phelps

Dedication and Acknowledgement

Dedication

This study is dedicated to Doctor Thomas R. Phelps. His interminable assistance enabled this author to successfully complete this study during a period of high stress and uncertainty.

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CHAPTER 1

INTRODUCTION

STATEMENT OF THE PROBLEM

Depending on whose statistics one examines, pornography is somewhere between a 4-8 billion dollar a year industry. Pornography thrives in America and is a phenomenon which sparks considerable debate when considering "free speech" versus "censorship" issues.

Perhaps the most critical aspect to be examined in a study of the evolution of pornography in America as a criminal justice issue is the questioned existence of a "link" between pornography and sexual aggression; that is, does viewing obscene material cause an individual to commit acts of sexual violence against another.

PURPOSE

The purpose of this study is to provide a detailed review of the literature pertaining to the pornography industry in America and its impact upon criminal justice issues, paying particular attention to the questioned existence of a causal link between pornography and sexual aggression. A comprehensive literature review will provide a perspective as to the extent of relevant laboratory and field studies which have been undertaken in an attempt to prove or disprove the contested "link" between the two variables.

NEED

Currently, there is a lack of relevant field study

research addressing the causal link issue. Providing a broad overview of the evolution of pornography in America and society's response to that evolution, coupled with a review of the laboratory and field studies which have been done with regard to the causal link issue, perhaps a logical "next step" can be found in an effort to provide direction to those dedicated to the study of pornography and its impact upon American society.

SCOPE AND LIMITATIONS OF THE STUDY

The extent of this study will be such that the reader will possess a clear understanding of the pornography industry and how it evolved into the multi-billion dollar annual business it has become. Also apparent within the study will be the complexities surrounding the pornography industry: complexities such as the difficulty in defining basic terms which are critical in regulating obscene materials. And finally, a thorough examination of relevant studies concerning the pornography/aggression linkage will be provided as a tool to suggest what may lie ahead insofar as future research endeavors.

This study is limited to a comprehensive review of relevant literature available on particular issues concerning pornography. Time does not allow for the construction of a relevant field study examining the causal link issue, however this author hopes a thorough, comprehensive literature review may be the catalyst which sparks further interest on the topic

and provides motivation and direction for future studies.

METHODOLOGY

This study will be confined to a literature review of the relevant writings in the field. Extraction of information concerning the evolution of pornography in America and its impact upon society as well as data pertaining to the causal link issue between pornography and aggression will be conducted in order to construct a critical study examining the particular issues.

DEFINITION OF TERMS

In an effort to provide a clear understanding of this topic, terms used throughout the thesis are defined below.

Causal. Relating to cause and effect.¹

Censorship. The office or power of one deemed an official examiner of manuscripts, plays, movies, etc., empowered to delete or suppress whatever is considered offensive or objectionable.²

Erotic. Of or arousing sexual feelings or desires; having to do with sexual love.³

Obscene. Offensive to one's feelings, or to prevailing notions, of modesty or decency; lewd.⁴

Pornography. Writings, pictures, etc. intended primarily to arouse sexual desire.⁵

Sexual aggression. A hostile attack or encroachment characterized by or having sex.⁶

ORGANIZATION OF THE STUDY

Chapter 2 of this study contains a comprehensive review

of the literature on the pornography industry in America. Specifically, the review begins with a detailed look at the images of pornography in American society today; what today's pornographic market makes available to the public. Next, some legal definitions of the terms "pornography," "obscene," and "erotica" will be considered. Also included is a survey of pornography and its growth through recent American history, concentrating largely on the period from the early 1970's to the present day, as this is the period when the business escalated into the multi-billion dollar industry it is today. Also examined in Chapter 2 are the ties between pornography and organized crime. Finally, this chapter will look at the two federal commissions established in the United States to study the pornography issue; the 1970 Commission on Pornography and Obscenity and the 1986 Attorney General's Commission on Pornography.

Chapter 3 is devoted to perhaps the most critical issue with respect to pornography and its impact upon society. This chapter will provide a detailed literature review concerning the highly contested causal link between pornography and sexual aggression. Available information consists mainly of researchers' experimental study results and feminists' opinions. The political climate of the period influenced the heightened interest in this topic among members of the research community. This author will present conclusions reached by both the scientists and feminists in their attempt to address

the issue.

Finally, Chapter 4 is a summary of the literature review and contains a discussion of possibilities for future research with respect to the pornography/aggression linkage.

NOTES

- 1-Causal," Webster's New World Dictionary: Third College Edition.
- 2-Censorship," The Doubleday Dictionary For Home, School, and Office.
- 3-Erotic," Webster's New World Dictionary: Third College Edition.
- 4-Obscene," Webster's New World Dictionary: Third College Edition.
- 5-Pornography," Webster's New World Dictionary: Third College Edition.
- 6-Sexual aggression," The Doubleday Dictionary For Home, School, and Office.

CHAPTER 2

LITERATURE REVIEW

THE PORNOGRAPHY MARKET

Outlets for pornography include pornographic bookstores, telephones, video stores, general interest stores, the mail, computers, newsstands, vending machines, military bases, prisons, swinger and singles clubs, and private homes. Some large cities offer live sex shows.¹

There are four times as many sex emporiums (pornographic bookstores, peep shows, live sex shows) in the United States as there are McDonald's restaurants.² Adult book stores number more than fifteen thousand³ and, in the 1970's distribution locations for sexually explicit materials in Los Angeles alone increased from eighteen to more than four hundred.⁴

The pornography industry in the United States is reported to be even greater than the commercial movie and record industries combined. And the circulation of Playboy and Penthouse is twice that of Newsweek and Time combined.⁵

PEEP SHOW LOOPS

The automated peep show appears to be one of the most profitable pornographic enterprises. The customer enters a small private booth, drops a quarter into a slot, and watches about two minutes of hard-core video sex acts. The machine used to run the film costs about \$500 new and the film itself costs the owner about \$7. An organized, well-run peep show in a good location can generate \$5,000 a day.⁶

The walls of a peep show booth are often covered with sex-oriented graffiti. "Glory holes," holes drilled in the side walls of the booths allow customers to engage in anonymous sex with each other. The sex is usually oral or anal and between males. Some customers may leave the door to the booth they occupy open as an invitation for other patrons to engage in sex. The floors and walls of the booth may be wet with semen, urine, feces, used prophylactics, saliva, gels, and alcohol. The booths are cleaned with disinfectants and a nauseating smell results. The unsafe sex that takes place in pornography store peep shows is thought to be a major health risk as a possible breeding ground for AIDS.⁷

MOTION PICTURES

Approximately one hundred full-length sexually explicit films were distributed to nearly seven hundred adults-only pornographic theaters in the United States in 1985. An estimated two million tickets were sold each week at these theaters. The annual box office receipts for these films was estimated at \$500 million.⁸ The Adult Filmmakers Association, in 1978, provided statistics showing 2.5 million customers attended adults-only theaters each week.⁹

The well known pornographic film, Deep Throat, cost only \$25,000 to produce, and has earned more than \$50 million in profits.¹⁰

DIAL-A-PORN

Dial-a-Porn has become popular in the United States. A

customer pays to either talk and listen to a live performer or listen to a recorded sexual message. The content of the messages or conversations is limited only by the customer's imagination. Rape, bestiality, incest, sex with children; it's all available.

Estimated costs for establishing a twenty-five dial-a-porn utility, including advertising, is \$25,000.¹¹ A typical dial-a-porn recording delivers an approximately sixty-second message to 50,000 callers per hour without any customer getting a busy signal. More than 800,000 calls are made daily to dial-a-porn companies in New York alone.¹²

VIDEOCASSETTES

The introduction of the video cassette recorder was a boon to the pornography industry. Adult video sales are big business. Triple X-rated cassettes outsell any other category available. The production costs of a video are much less than that of a full length X-rated film, but the profits are normally greater.

Figures for 1985 show that more than 75 million adult videos were rented, a substantial increase from the 54 million which were rented in 1984.¹³ Estimates indicate that 75% of all video stores in the United States rent and/or sell pornographic cassettes.

The explicit videos, which can be produced at a cost of between \$4000 and \$8000 for a sixty-minute presentation, often sell for between \$60 and \$80 each. Combining these figures

with average sales figures, these numbers represent a 100 percent profit for the video producer and a profit margin of between 100 and 400 percent for the distributor.¹⁴

PORNOGRAPHIC MAGAZINES

More than twenty million pornographic magazines are sold in the United States each month.¹⁵ The combined readership of Penthouse and Playboy is estimated at twenty-four million.¹⁶ In 1953, the year Playboy was introduced, the corner newsstand did not sell any pornographic publications. As of 1981, more than forty publications were readily available at the newsstands.¹⁷

As of July 1986, estimates indicate the availability of between fifty thousand and sixty thousand different sexually explicit magazine titles in the United States.¹⁸

Approximately one-half of the retail sales of sexually explicit magazines are by pornographic outlets while the rest are sold by mail order. Pornographic magazines are often marked up by as much as 400 to 500 percent from wholesale to retail. At the retail level, another 100 percent mark-up is usually applied.¹⁹

SEXUAL ENHANCERS

Sexual enhancers of all types are available at pornographic outlets and through the mail. Sexual enhancers may include dildos, penis rings, stimulators, French ticklers, aphrodisiacs, inhalants, inflatable dolls with orifices, police and detective equipment, rubber clothing, masks,

chains, manacles, clamps, whips, paddles, orifice spreaders, body or testicle harnesses, penis stretchers, branding irons, enema bags, crosses, hoists, horse penises, rubber hands for anal insertion, lock restraints, handcuffs, leather straitjackets, pins, rectal catheters, racks, stocks, restraining tables, nipple clamps, and breast chains.²⁰

PAPERBACK BOOKS

Pornographic outlets and mail order businesses make available sexually explicit paperback books which contained detailed descriptions of all imaginable sexual acts. In 1970, estimates placed the number of new paperback titles published yearly at 5,000.²¹

CABLE AND SATELLITE TELEVISION

Figures for 1983 show that two million Americans subscribed to cable television services providing pornographic entertainment.²² The largest such service, the Playboy channel, was viewed in 700,000 homes in 1986.²³

COMPUTER PORNOGRAPHY

A computer system offers a shop-at-home service for selling and trading sexually explicit merchandise. One computer porn service provides its subscribers the opportunity to type out sexually explicit messages and receive messages from pornographic performers. Pornographic movies and magazines are reviewed through these systems, which also feature dating services.²⁴

OTHER TYPES OF PORNOGRAPHY

Numerous regional sexually explicit tabloids, often issued by swinger or sex clubs, are filled with advertisements for sexually explicit products.²⁵

Audiotapes of sexually explicit activities are available to the consumer. Live sex acts can be viewed in many large cities. The acts range from nude dancing to actual sex activities.²⁶

Custom-made photo sets provided one company \$600,000 profit in one year. These photo sets may feature extreme acts of sexual abuse to include piercing (piercing skin and genitals with pins, needles, and other sharp objects), scat (ingestion or use of feces), extreme sadomasochism, bestiality (sex with animals), extreme mutilation, and child pornography.²⁷

Obviously apparent is the fact that today's pornographic market can make available to the American consumer a product which can satisfy virtually every conceivable desire the buyer is looking to fulfill.

DEFINING PORNOGRAPHY

To understand the complexity of the pornography issue, one need only attempt to define the word itself. Endless attempts have been made to define pornography, obscenity, and erotica. Defining the terms is essential if attempts to regulate the industry are to be seriously undertaken. In chapter 1, standard dictionary definitions for pornography, obscene, and erotic were offered. For regulation purposes,

legal definitions of the terms have also been considered.

The 1986 Commission on Pornography defined pornography as, "material that is sexually explicit to the extreme, intended virtually exclusively to arouse, and devoid of any other apparent content or purpose."²⁸

For those jurisdictions attempting to regulate pornography, they do so by making it a crime to traffic in obscene materials. Obscene, as defined by the U.S. Supreme Court, is as follows:

We now confine the permissible scope of such regulation (of obscene materials) to works which depict or describe sexual conduct. That conduct must be specifically defined by the applicable state law, as written or authoritatively construed. A state offense must also be limited to works which, taken as a whole, appeal to the prurient interest in sex, which portray sexual conduct in a patently offensive way, and which, taken as a whole, do not have serious literary, artistic, political, or scientific value.²⁹

The 1986 Commission looked at the term "erotica" as well. The commission stated:

For some the word "erotica" describes any sexually explicit material that contains neither violence nor subordination of women, for others the term refers to almost all sexually explicit material, and for still others only material containing generally accepted artistic values qualifies as erotica.³⁰

The ambiguity of the terms "pornography," "obscene," and "erotica" has served to make enforcement of obscenity laws extremely difficult. Pornographers argue that the definition of pornography or obscenity is so vague and indefinite that it is impossible to know what specific conduct was prohibited by

the particular law at issue. Pornographers can also make the argument that the range of sexual depictions prohibited by law is so overbroad that it includes types of speech or activities that are protected by the First Amendment to the U.S. Constitution.

HISTORY OF PORNOGRAPHY

A funny thing happened to pornography on its way through time. It has come so quickly out of the shadows of antiquity into the glare of today's headlines that we have anachronistically assumed that pornography's present prominence must somehow represent a continuation from the past without bothering to find out whether, indeed, its history is related to its contemporary manifestations. Little of a chronological nature has been written about pornography that attempts to explain how it passed from obscurity in ancient times into a contemporary mass phenomenon without acquiring either a history or a legal definition.³¹

The preceding quotation is from Joan Hoff's essay, Why Is There No History of Pornography? Hoff concludes that there exists no truly synthetic, interpretative history of pornography or eroticism.³² She also quotes the 1986 Commission on Pornography as concluding that, "the history of pornography still remains to be written."³³

This author found the above statements to be accurate. Despite a reasonably abundant amount of material on the subject of pornography, few of the sources established a history of the phenomenon. Nevertheless, it is important to make an attempt at providing the reader a basic framework as to the evolution of pornography in America.

In his thesis entitled, "Historical Overview of

Pornography", Duane Lowe states the first reported obscenity case in the United States was Commonwealth V. Sharpless, a case argued in the state of Pennsylvania in 1815. The defendant was accused of showing an immoral picture for profit. Those defending Sharpless contended that he could not be convicted of the crime in the absence of a prohibitory statute. The court held that acts of public indecency were indictable under common law.³⁴

Lowe also describes how the publisher of Fanny Hill had the distinction of his book being the first in America to be examined in a court room as an illustration of obscenity.³⁵

Lowe states that pornography became a greater issue in the early 1920's when a quantity of questionable material in books, magazines and newspapers began to appear throughout the country. "Clean book" crusades emerged spearheaded by a New York Supreme Court Justice, John Ford.³⁶

The motion picture industry began using sensationalism to sell films beginning in the 1920's. In 1921, thirty-six states were considering censorship legislation to combat the perceived problem, however little was ever accomplished in providing strict guidelines for filmmakers to follow.³⁷

In her book, Hard Core: Power, Pleasure, and the Frenzy of the Visible, Linda Williams describes how hard-core pornography achieved mainstream legitimacy through the progression of the hard-core film via three stages.

First, in the late 1950's and 1960's, the 'exploitation'

picture emerged. These were not "hard-core" films, but they did provide spectacles of sex or violence in quickly and cheaply made feature-length narratives. These films were shown in legitimate, but often not very respectable, theaters. These types of films could make significant profits simply by showing more nudity than the typical mainstream film.³⁸

A second stage emerged in the late 1960's with the development of what was coined the "beaver" film. These were short film loops showing women stripping to display full frontal nudity in peep-show arcade environments or sold through private mail order. These films eventually got more daring and became "split beaver" films. Women now were shown with legs spread but sexual action was confined to simulated masturbation scenes.³⁹

In 1972, the film Deep Throat was released. This marked the beginning of a burst of pornographic films which showed explicit, hard-core sex in a new age of "porno" legitimacy. Entertainment media began reviewing pornographic films. Deep Throat, Behind the Green Door, and The Devil in Miss Jones became hard-core classics. Producers, directors, actors, and actresses associated with hard-core films suddenly became "known." Celebrities such as Elizabeth Taylor and Sammy Davis Jr. were seen attending showings of Deep Throat. Seeing the film became the "chic" thing to do. Pornography became a more legitimate part of society and this new permissiveness opened up the door for anything the imagination could conceive of.

The third state in Williams' progression was complete.

ORGANIZED CRIME TIES

Organized crime's link to the pornography industry was documented as far back as the early 1950's in the Kefauver committee investigations, but most sources show few links before the late 1960's.⁴⁰

One researcher claims that organized crime got involved in pornography in New York in 1968 when John Franzese, a member of the Colombo family, realized how profitable were the peepshows in Times Square. Subjected to typical strong-arm tactics, the owners soon had to give organized crime 50 percent of their profits. From there, it was but a short step to insisting that all outlets use projection machines supplied by organized crime. By 1969, the Colombo family had obtained about 60 percent control of the pornographic movies in New York.⁴¹

Today, organized crime is believed to be in all aspects of the pornography industry: literature and films of all types (i.e., hard-core, soft-core, art, 16mm, magazines, books), sexual devices, "service" establishments (including live sex shows), production, wholesaling and retailing, and distribution.⁴²

Michael Zaffarano of the Bonano family was said to have been a major operator of pornography on both the east and west coasts. He was involved in the production and distribution of films and he owned theaters. He also financed production of

films through many legitimate fronts.⁴³

The Peraino brothers, informally adopted members of the Colombo family, are said to have been the biggest in the business. They, too, operate behind various legal fronts headquartered in New Jersey and Florida. They are said to have put up the money for the movie Deep Throat.⁴⁴

The distribution of pornographic materials is routinely handled through organized crime channels due to Supreme Court decisions which have scared off legal distributors.

Some independent producers say they actually prefer dealing with organized crime enterprises because the latter are the most reliable of companies and pay quickly. Others find they must deal with organized crime in order to protect themselves from extortion or piracy.⁴⁵

Piracy is a big part of organized crime's pornography business. If a producer refuses to allow organized crime figures to distribute a film, those figures threaten piracy, among other actions. If the request is still refused, organized crime elements make their own copies of the film and distribute them widely, very often closing substantial markets to the legitimate producer.⁴⁶

The fate of Behind the Green Door, a successful hard-core classic, is a case in point. Organized crime figures approached the producers concerning distribution rights, which the producers continuously refused to grant, despite threats of piracy. Within a short time, hundreds of pirated versions

appeared all over the country. The producers lost several key markets - Las Vegas, Miami, and Dallas among them. Also, because the pirated versions were often of poor quality, the movie got a bad reputation, further reducing its market.⁴⁷

Available evidence strongly suggest that organized crime is deeply rooted in the distribution of pornographic material to the American consumer. Given the ideal circumstances under which pornography flourishes, it only makes sense that organized crime would take advantage of a profitable enterprise conveniently tailored to its method of doing business.

As long as obscenity laws remain vague and pornography remains profitable, the partnership between organized crime and the distribution of sexually explicit materials can be expected to continue.

THE 1970 AND 1986 COMMISSIONS

The twenty years between the mid-1960s and the mid-1980s have been called the Era of the Pornography Commissions. Nearly two centuries passed without a federal investigation of pornography and its impact upon society, yet there have been two federal inquiries in the United States, one in Great Britain, and one in Canada during the twenty-year span mentioned above. This section will examine the two commissions in the United States.

Gordon Hawkins and Franklin E. Zimring offer an explanation as to the emergence of commissions on pornography.

First, they state the commissions were "a response to social changes in the distribution of pornography that had occurred by the mid-1960s in much of the industrialized West."⁴⁸ The commissions were established as a response to a change in availability and the reaction of society to that change. Hawkins and Zimring believe the 1970 Commission was the product of this reaction almost exclusively. The 1986 Commission was, as stated by Hawkins and Zimring,

...a product of both the change in availability of sexual communications and an emulation of the commission on pornography as a political innovation. A commission of inquiry had become, visibly, one of the few things a national government could do about the subject without major cost.⁴⁹

Nationally chartered blue-ribbon commissions, groups of more or less eminent citizens officially charged with the task of considering and then making recommendations for legislative or other action in relation to what is publicly perceived as a national problem, are a much favored political device in Western democracies.⁵⁰

The United States President's Commission on Obscenity and Pornography (the 1970 Commission) was appointed in January 1968 to investigate the traffic in pornographic and obscene materials. The purpose of the commission was defined as,

...after a thorough study which shall include a study of the causal relationship of such materials to antisocial behavior, to recommend advisable, appropriate, effective, and constitutional means to deal effectively with such traffic in obscenity and pornography.⁵¹

The commission's task was as follows:

1. With the aid of leading constitutional law authorities, to analyze the laws pertaining to the control of obscenity and pornography; and to evaluate and recommend definitions of obscenity and pornography;

2. To ascertain the methods employed in the distribution of obscene and pornographic materials and to explore the nature and volume of traffic in such materials;

3. To study the effect of obscenity and pornography upon the public and particularly minors, and its relationship to crime and other antisocial behaviors; and

4. To recommend such legislative, administrative, or other advisable and appropriate action as the Commission deems necessary to regulate effectively the flow of such traffic, without in any way interfering with constitutional rights.⁵²

The commission was composed of two women and sixteen men, including the chairman, Professor William B. Lockhart, who was dean of the University of Minnesota Law School. In addition to the chairman, membership included five other lawyers: Thomas D. Gill, chief judge of Connecticut Juvenile Court; Thomas C. Lynch, attorney general of California; Edward E. Elson, president, Atlanta News Agency; Charles H. Keating, Jr., senior partner in a Cincinnati law firm; and Barbara Scott, deputy attorney of the Motion Picture Association of America, Inc.

Three sociologists served on the commission: Joseph T. Klapper, director, Office of Social Research, Columbia Broadcasting System; Otto N. Larsen, professor, Department of Sociology, University of Washington; and Marvin E. Wolfgang, professor and chairman, Department of Sociology, University of Pennsylvania. There were also two psychiatrist members: Edward D. Greenwood, M.D., director, Division of School Mental Health of the Menninger Foundation; and Morris A. Lipton,

Ph.D., M.D., professor and chairman, Department of Psychiatry, University of North Carolina.

Organized religion was represented by: the Reverend Morton A. Hill, S.J., president and administrative of Morality in Media; Dr. Irvin Lehrman, rabbi of Temple Emanu-El, Miami Beach, Florida; and the Reverend Winfrey C. Link, a Methodist minister who was administrator of the United Methodist Retirement Home, Hermitage, Tennessee.

The remaining four members were: Frederick J. Wagman, director of the University of Michigan Library and professor of library science; G. Williams Jones, assistant professor of broadcast-film art, Southern Methodist University; Freeman Lewis, formerly vice-president of publishing, Simon & Schuster, Inc., and director, American Book Publishers Council; and Cathryn A. Spelts, assistant professor, South Dakota School of Mines and Technology and a member of the National Council of Teachers of English.⁵³

Professor Lockhart, a coauthor of three widely cited articles on the subject of obscenity and the law, was a distinguished authority on constitutional law and a leading academic authority on obscenity laws.⁵⁴

Most of the remaining commission members had previously shown no particular interest concerning obscenity or pornography. In three cases there was reference to engagement in previous activity related to the commission's tasks.⁵⁵

On September 30, 1970, the commission submitted a final

646-page report and had expended \$1,750,000 to accomplish their task.

An excerpt from the report stated:

If a case is to be made against 'pornography' in 1970, it will have to be made on grounds other than demonstrated effects of a damaging personal or social nature. Empirical research designed to clarify the question has found no reliable evidence to date that exposure to explicit sexual materials plays a significant role in the causation of delinquent or criminal sexual behavior among youth or adults.⁵⁶

In concluding that pornography is harmless and in advocating sex education in the schools and adequate sexual information as alternatives to pornography and ways of counteracting some of the incorrect sexual information communicated in pornography, the 1970 commission drew both applause and criticism. Fundamentalists and feminists assert the commission's findings did in fact point to a possible causal link and that information was suppressed.

Victor B. Cline, a psychologist and social research methodology and statistics expert, concluded that the 1970 commissions findings were 'seriously flawed, and omitting some critical data on negative effects.'⁵⁷ He further concluded that the evidence the commission presented did not clearly indicate 'no harm' and that the presentation contained 'frequent errors and inaccuracies in their reporting of research results as well as in the basic studies themselves.'⁵⁸

Robin Morgan, one of the top leaders in the feminist anti-porn movement believes that information showing a causal

link between pornography and sexual aggression against women was suppressed by the 1970 commission due to political pressures. She also noted that only two of the eighteen persons appointed to the commission were women.⁵⁹

The 1970 commission was criticized for not undertaking longitudinal studies to determine the long-term effects of exposure to pornography on sex offenses, sex activities, and moral value changes.

Other feminists, such as Kathleen Barry and Irene Diamond attribute the 1970 commission's findings to biases of the members of the commission. Barry believed the commission's liberal bias affected the objectivity of the research and that the result was a product of "cultural sadism" instead of "pursuit of truth." Barry says this bias was worked into the "design, methodology, and interpretation of findings of the Effects Panel research."⁶⁰

Diamond believes that the commission designed its research in accordance with the prevailing liberal ideology of the time. The so-called sexual revolution had hit the country and possibly the commission, she contended. Diamond suggested that "biases influenced choice of research designs, interpretation of data, and integration of studies into the Final Report."⁶¹

Of course there are those who supported the 1970 commission findings. Not only does pornography not cause harm, some contend, but it can also be beneficial in some

circumstances.

Berl Kutchinsky, a senior lecturer at the Institute of Criminal Science at the University of Copenhagen, stated:

It is unquestionable that with few exceptions the purpose of the sexual offender when committing a sex crime is to obtain sexual satisfaction, usually in the form of orgasm. In many cases of sex crimes, the orgasm is obtained through masturbation either while committing the crime or immediately afterwards. Since pornography is well suited (and quite often used) as a source of sexual stimulation for masturbation...it seems likely that some earlier offenders may have stopped or at least reduced their criminal activity, while potential new offenders may never engage in committing sexual offenses, because they get sufficient satisfaction through the use of pornography.⁶²

Augustine Brannigan, an associate professor of sociology and co-director of the Research Unit for Socio-Legal Studies at the University of Calgary, suggests that the monkey-see-monkey-do model of behavior, as proposed by those critical of the 1970 commission findings, means that people 'become blithering idiots from watching 'Monty Python,' adulterers from 'Dynasty,' and drug addicts from 'Miami Vice'.'⁶³

The Attorney General's Commission on Pornography (the 1986 commission) was established in February 1985 by the then Attorney General William French Smith at the specific request of President Ronald Reagan. The formal mandate of the commission was contained in its charter. In that charter, the commission was asked to 'determine the nature, extent, and impact on society of pornography in the United States, and to make specific recommendations to the Attorney General

concerning more effective ways in which the spread of pornography could be constrained, consistent with constitutional guarantees.⁶⁴

The charter mandated the commission to 'study...the dimensions of the problem of pornography,' to 'review...the available empirical evidence on the relationship between exposure to pornographic materials and antisocial behaviour,' and to explore 'possible roles and initiatives that the Department of Justice and agencies of local, State, and Federal government could pursue in controlling, consistent with constitutional guarantees, the production and distribution of pornography.'⁶⁵

On May 20, 1985, Attorney General Edwin Meese II announced formation of the commission and the names of its eleven members. Four of the members were lawyers: Henry E. Hudson, U.S. attorney for the Eastern District of Virginia, who was the commission's chairman; Edward J. Garcia, a federal district court judge in Sacramento, California; Tex Lazar, a Dallas lawyer and counselor to former Attorney General William French Smith; and Frederick Schauer, professor of law at the University of Michigan. Park Elliot Dietz, who was professor of law, behavioral medicine, and psychiatry at the University of Virginia, was not a lawyer but a psychiatrist with degrees in medicine, public health, and sociology. The panel also had a psychologist on a medical school faculty, Dr. Judith Becker, associate professor of clinical psychology in

psychiatry at Columbia University's College of Physicians and Surgeons and Director of the Sexual Behavior Clinic at the New York State Psychiatric Institute.

The other five members were as follows: James C. Dobson, founder of Focus on Family, an organization dedicated to the preservation of the home that produces a nationally syndicated radio program, had served for fourteen years as associate clinical professor of pediatrics at the University of Southern California School of Medicine; Mrs. Diane Cusack, a market research analyst, was serving her seventh term as president of the Maricopa County Board of Health; Ellen Levine, editor-in-chief of Woman's Day magazine, was a graduate of Wellesley College, where she majored in political science; the Reverend Bruce Ritter, a Catholic priest, had a doctorate in medieval dogma and was founder and president of Covenant House, an international childcare agency; and Deanne Tilton was president of the California Consortium of Child Abuse Councils.⁶⁶

The commission held public hearings in six cities (Chicago, Houston, Los Angeles, Miami, New York, and Washington) and also "public working sessions" in all those cities (with the exception of Chicago) and in Scottsdale, Arizona. The commission, which was required to produce a report within a year of its creation, had a budget of \$500,000. A two-volume, 1,960-page final report was presented to the attorney general on July 8, 1986.

In contrast to the 1970 commission, The Attorney General's Commission on Pornography claimed that certain forms of pornographic material do, in fact, bear a causal link to sexual aggression and violence. The 1986 report stated:

We would urge that prosecution of obscene materials that portray sexual violence be treated as a matter of special urgency. With respect to sexually violent materials the evidence is strongest, societal consensus is greatest, and the consequent harms of rape and other forms of sexual violence are hardly ones that this or any other society can take lightly. In light of this, we would urge that the prosecution of legally obscene material that contains violence be placed at the top of both state and federal priorities in enforcing the obscenity laws.⁶⁷

Naturally, fundamentalists and feminists supported the findings of the 1986 commission while liberals and many research methodologists questioned the results.

National Coalition Against Pornography president Jerry Kirk, endorsing the 1986 commission's findings, stated, "Hard-core pornography - the kind that promotes rape, violence, and degradation - is...a major problem all Americans need to confront."⁶⁸

Andrea Dworkin, a feminist strongly committed to the anti-pornography movement, testified before the 1986 commission. Recalling a series of photographs published in Penthouse magazine of Asian women bound and hung from trees and an article in the New York Times about the rape and murder of an eight-year-old Chinese girl in North Carolina whose body was left hanging from a tree, Dworkin begged the commission for action. Said Dworkin:

I am asking you to help the exploited, not the exploiters. You have a tremendous opportunity here. I am asking you as individuals to have the courage, because I think it's what you will need to actually be willing yourselves to go and cut that woman down and untie her hands and take the gag out of her mouth and to do something for her freedom.⁶⁹

Dworkin's plea left one of the commission members in tears. Needless to say, Dworkin was pleased to see the commission state the existence of a causal link between violent pornography and aggression towards women.

Critical of the findings of the 1986 commission, Larry Baron, a lecturer in sociology at Yale University who testified before the commission, pointed to the make-up of the commission as one of the first problems with conducting an objective study on the issue of pornography.

Henry E. Hudson, the commission chairman, is an ardent anti-pornography crusader. He is credited with successfully prosecuting and closing down every adult bookstore and theater in Arlington County, Virginia. The executive director of the commission, Alan Sears, was chief of the Criminal Division for the United States Attorney's Office for the Western District of Kentucky. Sears was strongly opposed to pornography and had vigorously prosecuted obscenity cases.

Other commissioners openly discussing their personal opposition to pornography included: James C. Dobson, the man who interviewed the infamous serial killer Ted Bundy when the latter blamed pornography for much of his actions; Father Bruce Ritter; Harold "Tex" Lazar; Judge Edward Garcia; and

Diane Cusack, a long-time supporter of local efforts to ban pornography. Two other commissioners were reported to have less than neutral views of pornography and the three remaining commissioners had not previously expressed an opinion either for or against pornography. Baron suggests the biases of the commission were clearly evident before they ever began their work.⁷⁰

Beverly P. Lynch, a university librarian at the University of Illinois, Chicago is a former president of the American Library Association who testified before the 1986 commission. She spoke out against the commission recommendation to ban certain forms of pornography when she said, "The American Library Association contends that the dangers of legislative control of any materials are easier to demonstrate and much more significant than the dangers of circulating sexually explicit material."⁷¹

Augustine Brannigan points out that the 1970 commission was given a budget of \$2,000,000 to conduct research while the 1986 commission had a \$500,000 budget of which none went to new research. Brannigan suggests that the 1986 commission conclusions were the result of a political mandate to contain the spread of pornography.⁷²

The two commissions were established to study the same issue: pornography and its impact upon society. Their findings were strikingly opposite. Most certainly a contributing factor to the differing conclusions

reached by the commissions was that pornography in 1986 was not the same product it was in 1970. Perhaps the differences of opinion between the two commissions was a result of a much more explicit, more violent form of sexual material in 1986 as opposed to 1970. Also interesting to note is that none of the principal recommendations made by either commission were adopted.

The following chapter looks at today's brand of pornography and closely examines who is saying what concerning pornography's impact upon society with regard to a causal link between obscene materials and sexual aggression and violence.

NOTES

- ¹ Frank Osanka and Sarah Johann, eds., Sourcebook on Pornography (Lexington, MA: Lexington Books, 1989), 15.
- ² Ibid., 9.
- ³ U.S. Attorney General's Commission on Pornography, Final Report (Washington: GPO, 1986), 1363.
- ⁴ Ibid.
- ⁵ Osanka and Johann, op. cit., 15.
- ⁶ Gary Potter, The Porn Merchants (Dubuque: Kendall, Hunt, 1986), 18-19.
- ⁷ Osanka and Johann, loc. cit.
- ⁸ David T. Friendly, "This Isn't Shakespeare," Newsweek, 18 Mar. 1985, 62.
- ⁹ Kathleen Barry, Female Sexual Slavery (Englewood Cliffs, N.J.: Prentice-Hall, 1979), 84.
- ¹⁰ Osanka and Johann, op. cit., 16.
- ¹¹ Ibid.
- ¹² U.S. Attorney General's Commission on Pornography, Final Report (Washington: GPO, 1986), 78.
- ¹³ Osanka and Johann, op. cit., 15.
- ¹⁴ U.S. Attorney General's Commission on Pornography, op. cit., 1481.
- ¹⁵ Osanka and Johann, op. cit., 16.
- ¹⁶ Ibid.
- ¹⁷ Laura Lederer, "Playboy Isn't Playing: An Interview with Judith Bat-Ada," in Take Back the Night: Women on Pornography, ed. Laura Lederer (New York: William Morrow & Co., 1980), 121.

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- 19Ibid., 1414.
- 20Osanka and Johann, op. cit., 17.
- 21U.S. Attorney General's Commission on Pornography, op. cit., 1451-53.
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- 29Miller v. California, 413 U.S. 15, 34 (1973); reprinted in, Sourcebook on Pornography, eds. Frank Osanka and Sarah Johann, (Lexington, MA: Lexington Books, 1989), 4.
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- 33Ibid.

³⁴Duane Hoyt Lowe, 'Historical Overview of Pornography' (M.S. thesis., California State University at Sacramento, 1978), 47.

³⁵Ibid., 48.

³⁶Ibid., 21.

³⁷Ibid., 25.

³⁸Linda Williams, Hard Core: Power, Pleasure, and the Frenzy of the Visible (Berkeley: University of California Press, 1989), 96.

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⁴⁰Denny F. Pace and Jimmie C. Styles, Organized Crime: Concepts and Controls (Englewood Cliffs, N.J.: Prentice-Hall, 1983), n. pag.

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⁴²National Advisory Committee on Criminal Justice Standards and Goals, Report of the Task Force on Organized Crime (Washington: GPO, 1976), n. pag.

⁴³Nicholas Gage, 'Organized Crime Reaps Huge Profits from Dealing in Pornographic Films,' New York Times, 12 Oct. 1975, 68.

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⁴⁵Ibid.

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⁶⁶Hawkins, op. cit., 13-14.

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⁶⁹U.S. Attorney General's Commission on Pornography, op. cit., 772.

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CHAPTER 3

CRITICAL ANALYSIS

Perhaps the single most controversial and contested issue having to do with pornography is the subject of a causal link with regard to graphic obscene material and sexual aggression. The question is simple; does reading or seeing pornographic material cause an individual to commit acts of sexual aggression? Unfortunately, the answer is far from a simple yes or no. In fact, the answer has yet to be adequately answered from a scientific methodological perspective and other viewpoints offer strong opinions largely based on emotion and/or morality.

Social scientists continue to examine the questioned existence of a causal link while conservatives and feminists claim the methodologists are searching for something which is clearly visible; that pornography causes sexual violence against women and children.

This chapter will provide a clear understanding of what is being said about a very unclear problem. Through citation analysis, this author will present conclusions reached by a number of respected social scientists as well as opinions from several prominent feminists. Chapter 3 will conclude with an analysis of recently published 1991 articles from the International Journal of Law and Psychiatry in which a number of researchers respond to the causal link issue and a feminist writer responds to the conclusions reached by the scientists.

A discussion of relevant empirical efforts concerning the pornography/violence linkage most logically begins with an examination of a 1973 field study conducted in Denmark by a well known expert in the field of pornography, Berl Kutchinsky.

Normally, a field study concerning a pornography-aggression relationship attempts to compare the availability of pornographic materials to some societal measure of sexual aggression.

Kutchinsky points to a softening of legal standards and an increased availability of legal pornography as a primary factor in the reduction of sex crimes in Denmark between 1959 and 1970.¹ Opponents to Kutchinsky's hypothesis point out that while 'sex crimes' may have decreased, 'rape' was not one of those crimes which was reduced. Furthermore, and Kutchinsky himself points this out, changes in attitudes toward sex offenses may be attributable to the sex crime reduction in that fewer young women may have tended to report sex offenses.

While the reported results of Kutchinsky's study were not conclusive, were subject to a great deal of interpretation, and may even appear perhaps outdated, this author considers the Denmark study a classic in the field.

Researchers have often noted that field studies in the area of pornography and sexual aggression are difficult to conduct and that such studies are usually subject to a variety of methodological flaws which may contaminate the results.

Nevertheless, Kutchinsky's Denmark study is cited numerous times throughout the 1970's and 1980's as one of the first serious, comprehensive field studies on the topic. Many researchers use the Denmark study as a foundation for their own research concerning the pornography/aggression linkage.

With the understanding that Kutchinsky's efforts paved the way for future research, an examination of conclusions reached by his fellow scientists completing more recent studies is appropriate.

Dean D. Knudsen, a member of the Department of Sociology and Anthropology at Purdue University, while searching for a relationship between child sexual abuse and pornography, concluded that individuals for whom pornography is the primary or direct motivator of violent acts appear to be relatively rare. He summarized that no clear relationships can be identified between pornography and sex crimes.²

John B. McConahay, an Associate Professor of Public Policy at Duke University writes that the relationship between violent pornography and anti-social behavior is clear, but he believes the problem stems not from depictions of sex, but rather from the illustrations of violence.³

Augustine Brannigan, an Associate Professor of Sociology at the University of Calgary and Andros Kapardis, a lecturer in legal studies from La Trobe University write that:

Community, victim, offender, and legislative characteristics would appear to be much more convincing explanations of variations in the rates of reported rape than the circulation of pornography

and sexist repression attributed to it by certain feminist and Christian writers.⁴

Edward Donnerstein, one of the most respected researchers in the field of pornography and society, and one of the authors most often cited by other researchers, published a 1985 article in which he stated that there exists no evidence for any 'harm' related effects from sexually explicit materials. Donnerstein also related that aggressive images are the issue society should be concerned with, not sexual images. Donnerstein summarizes that it may be impossible to ever conclusively determine if a causal link between pornography and sexual violence exists.⁵

Researchers Larry Baron from the University of California, Los Angeles and Murray A. Straus from the University of New Hampshire believe the 'fundamental causes of rape are to be found in violence, sexism, and social disorganization - not in pornography.'⁶ Their theory concludes that it is unlikely that exposure to pornographic materials directly causes men to rape women.⁷

Quoting again from Donnerstein's work, in conjunction with Daniel Lenz and Steven Penrod, he stated in a 1987 report that society should concern itself about violence in pornography and elsewhere as violence is the problem rather than sex. These researchers related that the violence in an R-rated movie has the same effect as the violence in a pornographic film. Donnerstein, Linz, and Penrod advocate the education of society as to the type of materials it chooses to view rather

than the illegalization of pornography.⁸

As indicated earlier in this study, field studies dedicated to a quest for the contested causal link between pornography and sexual aggression are very difficult to conduct. As a result, most research designs are limited to laboratory settings. For this reason, this author found few recent field studies to examine, but results from those available are provided.

W.L. Marshall conducted a six-year study at the Kingston Sexual Offender's Clinic. Based on his interview, Marshall concluded that rapist and child molesters reported more use of pornographic materials than did non-offenders. Marshall questions whether or not his findings support a causal link theory. He considers that the use of pornographic materials by rapists and child molesters may be a manifestation of their basic deviant interests.⁹

M. Dwayne Smith and Carl Hand conducted a field study in which a pornographic movie was shown to a group of students on a college campus. Through a self-report study of 230 women students whose friends, boyfriends, or husbands had viewed the film, Smith and Hand concluded there were no significantly different levels of reported aggression against those participating in the study.¹⁰

Another field study, conducted by Mimi Silbert and Ayala Pines, involved the survey of 200 current and former female prostitutes who had been victims of rape, juvenile sexual

assault or both. Results of the survey showed that the offender made references to pornography during 24% of the rape incidents. In their summary of the field study, Silbert and Pines noted the difficulty of conclusively establishing a causal link between pornography and sexual violence. They supported a correlation between the two, but not necessarily a causal link.¹¹

In summarizing available, recent material concerning experimental and field studies as well as scholarly debates surrounding the relationship between pornography and sexual aggression, the most common thread among all the literature written by social science researchers appears to be that a relationship exists, but not necessarily a causal link. Also common, within the various conclusions, is the finding that the violence depicted in some pornographic materials is the true problem rather than explicit illustrations of the sex act itself.

A review of the literature concerning pornography and sexual aggression would not be complete without considering the feminist point of view on the subject. Leading feminists in the fight against pornography include: Catherine McKinnion, Susan Brownmiller, Robin Morgan, and Laura Lederer. The following portion of this chapter will examine their perspectives on the pornography/aggression linkage as well as perspectives from other feminists not perhaps as well known as those mentioned above.

Says Catherine McKinnion:

The research can't tell on an individual basis which man will go and rape a woman after having been exposed to pornography. But for women, that isn't our concern, because we're never raped as individuals - that is, we are individually raped but we are targeted as members of the group, women. Pornography is central to that targeting. The researchers can't identify which men will go out and commit rape, but they can show that a great many more of them accept attitudes that correlate with actually raping a woman. Many more of them will come back and report greater instances of forced sex. It's not just a problem of attitude - not convicting an accused rapist because you don't see what he did as rape in a perception that becomes reality.¹²

Laura Lederer helped found Women Against Violence in Pornography and Media (WAVPM) in San Francisco. She is the editor of the book, Take Back the Night, which has come to be considered a classic in the area of pornography and violence against women. Her book is a collection of articles, interviews, research, and calls to action by women who are leaders in the move to stop violence against women as a result of pornography. A look inside the back flap of the book provides a description of what can be found within the pages:

- * A new look at the Denmark studies, linking legalization of pornography to the increase in rapes

- * Up-to-date reports on the latest research proving the harmful effects of pornography

- * The truth about the assumptions and data on which the Commission on Obscenity and Pornography based its erroneous conclusions.

- * Inspiring strategies for future action¹³

Clearly Laura Lederer and the contributors to her book

are absolutely convinced that a definite causal link exists between pornography and sexual violence. The book is dedicated:

To the thousands of women in this country and abroad who recognize the hatefulness and harmfulness of pornography, and are organizing to stop it now.¹⁴

The book contends that what was current research on pornography at the time the 1970 Commission on Obscenity and Pornography was established is now inadequate as that research was accomplished before violence pervaded pornography. Take Back the Night deems the catharsis model inadequate; i.e., the model depicting pornography as a stress reliever which allows men to fantasize through erotic material rather than commit acts of sexual aggression. If the model were correct, says Pauline B. Bart and Margaret Josza, then as the amount of pornography increased, the rate of rape should have decreased. In fact, they contend, both have been increasing.¹⁵

Take Back the Night does not make an attempt to prove a causal connection between pornography and sexual aggression through scientific means. Rather because the line between correlation and causation is so fine, the book disputes scientific observation through an assertion of flawed methodology towards those concluding a causal link does not exist. It is interesting to note that Take Back the Night, as do most books and articles advocating a halt to pornography, provides an extensive list of horror stories depicting brutal sexual crimes and their connection to pornographic materials.

In the absence of conclusive scientific evidence proving the existence of a pornography/aggression linkage, anti-pornographers often must rely on emotion to influence public opinion.

Some feminists do not feel it necessary to prove a causal link between pornography and sexual violence. In her article printed in the Harvard Women's Law Journal, Caryn Jacobs says she resents that a causal link need be proven and that common sense dictates that pornography obviously leads to sexual aggression in enough cases to warrant action against such materials. In the same article, Diane E.H. Russell also questions if we really need research to tell us what she and others feel to be true; that the link is there.¹⁶

Patricia Hughes agrees with Jacobs:

It is the contention here that the very existence of pornography is the problem and that while there is evidence to suggest a correlation between exposure to porn and the commission of brutal sexual acts against women, the connection is not necessary to justify controlling pornography. Pornography invites imitation because, like the cigarette and beer ads, it promises pleasure and success.¹⁷

Lorenne Clark from the Philosophy Department at the University of Toronto:

Prohibitions are justified if the use of such materials causes violations of the rights of others, whether or not it leads to direct acts of physical violence.¹⁸

Clark further states that research in this area cannot be justified since allowing harm to occur to women in the interest of scientific observation is immoral.

Kate Ellis, in her journal article from Socialist Review,

quotes Laura Lederer and Diane Russell as saying:

Not all pornography is violent, but even the most banal pornography objectifies women's bodies. An essential ingredient of much rape and other forms of violence to women is the 'objectification' of women.¹⁹

Ellis summarizes that Lederer and Russell must conclude that, 'Pornography then depicts violence or causes violence or both. All pornography is therefore violent.'²⁰

Robin Morgan, one of the top leaders in the anti-porn movement, was quoted as saying:

...one can only conclude that pornography is indeed the 'theory' and battery, rape, molestation, and other increasing crimes of sexual violence are not so coincidentally the 'practice'.²¹

In coining the phrase 'Pornography is the theory, rape is the practice,' which has become the rallying cry for anti-pornographers, Morgan also asked:

How long must women alone prove the cause-and-effect reality we experience daily as an adrenalin surge not only of emotional outrage but of bodily terror?²²

Not all feminists agree with the leaders of the anti-pornography movement. Thelma McCormack took a stand against censorship of pornography when she stated:

The most obvious error concerns rape. Rape is a complex social act which is the culmination of many influences. And pornography, like any other symbolic text, is multi-dimensional, encoding a number of messages. It is not, therefore, surprising that there is no empirical evidence of any relationship between pornography and rape, despite the parallels that exist between them.²³

Lynn Chancer, from the Sociology Department at Hunter College, agrees with McCormack. She believes that pornography

may influence, but not determine an individual's behavior. For this reason she believes in efforts to change attitudes toward pornography rather than censorship of the material.²⁴

Finally, in examining feminist literature on the subject of the pornography/aggression linkage, it was interesting to discover an article which printed the testimony of those involved in a panel discussion on the topic of pornography. Three different people expressed three different opinions which validates the conflict very well.

Aryeh Neier, a former national director of the American Civil Liberties Union, dismissed any notion of a causal link. He relies on his experiences in Central America, Africa, and Eastern Europe to disprove the causal link theory. Neier states that, in these countries, pornography is virtually nonexistent, yet sexual crime and violence is tremendously high. This, he states, shows that pornography is not very important at all.²⁵

Jean Bethke Elshtain, a Professor of Political Science at the University of Massachusetts, takes a neutral stand on the issue of a causal link saying it is too difficult to determine. Says Elshtain:

Most of the studies that assert a direct connection between pornography and sexual violence are done under highly artificial conditions and don't stand up under close scrutiny...to try to draw a direct causal line is to oversimplify the relationship between images, fantasies, and actions.²⁶

Susan Brownmiller, a founder of Women Against Pornography, cannot dismiss what she sees as evidence suggesting the

causal link exists. Says she:

Too many rapes appear to be 'copycat' crimes - that is, the rapist seemed to be acting out scenes that had been published in pornographic magazines a month or two before.²⁷

Brownmiller blames the infamous pool table gang rape of a woman in New Bedford, Massachusetts bar on a pictorial published in an issue of Hustler magazine. She concludes that pornography is a contributing factor to sexual violence against women.

After examining several studies conducted by researchers in the field of pornography and its effects upon society, and in analyzing the opinions of several anti-pornography feminists, a clear pattern emerges. The researcher is unable to either prove or disprove the existence of a causal link between pornography and sexual aggression and, instead, points to a strong correlation between the two variables. Consider the following conclusions made by Dolf Zillman after he conducted a study on the effects of prolonged consumption of pornography:

1. Excitatory responses to pornography, both specifically sexual and general ones, diminish with prolonged consumption. Some degree of recovery occurs spontaneously. It remains unclear, however, which conditions might facilitate or hamper such recovery.

2. Repulsion evoked by common pornography diminishes and is lost with prolonged consumption.

3. Prolonged consumption of common pornography does not lead to increased enjoyment of the frequently consumed material. Only less common forms of pornography that depict less common forms of sexuality tend to elevate enjoyment.

4. Prolonged consumption of common pornography fosters a preference for pornography featuring less common forms of sexuality, including forms that entail some degree of pseudoviolence or violence. This preference may be transitory, however.

5. Prolonged consumption of common pornography alters precipitations of sexuality. Specifically, it fosters presumptions of popularity for less common sexual practices.

6. Prolonged consumption of common pornography promotes acceptance of pre- and extramarital sexuality. Although it decreases trust among sexual intimates, it increases tolerance for violations of sexual exclusivity. Moral condemnation of sexual improprieties diminishes sharply.

7. Prolonged consumption of common pornography prompts beliefs of health risks from sexual hypoactivity.

8. Prolonged consumption of common pornography spawns doubts about the value of marriage as an essential societal institution and about its future viability.

9. Prolonged consumption of common pornography leads to diminished desire for progeny. The strongest effect of this kind concerns the desire of females for female offspring.

10. Prolonged consumption of common pornography breeds discontent with the physical appearance and the sexual performance of intimate partners. To a lesser degree, it breeds discontent with these partners' affectionate behavior.

11. Prolonged exposure to nonviolent and violent pornography promotes insensitivity toward victims of sexual violence.

12. Prolonged consumption of common pornography trivializes rape as a criminal offense.

13. Prolonged consumption of common pornography trivializes sexual child abuse as a criminal offense.

14. Prolonged consumption of nonviolent and violent pornography, especially of the former, promotes men's belief of having the propensity for forcing particular sexual acts on reluctant female partners.

15. Prolonged consumption of nonviolent and violent pornography promotes men's belief of being capable of committing rape. This effect is pronounced for normal men manifesting some degree of psychoticism; it is negligible for men with minimal psychotic tendencies.

16. Habitual male consumers of common pornography appear to be at a greater risk of becoming sexually callous and sexually violent toward women than occasional male consumers.

17. Prolonged consumption of nonviolent and violent soft-core pornography has not been found to facilitate men's retaliatory aggression against women.²⁸

Zillman's conclusions were extensive and, as is the case in many of the studies discussed throughout this paper, subject to criticism depending on who is evaluating Zillman's research design. Nevertheless, Zillman's sweeping conclusions reiterate the common theme throughout most scientific studies. That is, that pornography may be an ugly phenomenon and its effects upon society may be largely negative, but in not one of the seventeen findings does Zillman state that pornography causes sexual aggression. That is par for the course when examining nearly every scientific study on the topic.

The feminist, frustrated by the scientific community's inability to prove the existence of the pornography/violence linkage, uses correlation as a substitute term for causation when, in fact, the two are entirely different species.

The feminist population will point to studies which have adequately proven that pornography does desensitize men's attitudes concerning sexual violence towards women and the public is asked to infer, through deduction, that the natural

consequence to the desensitization of men's attitudes is the violent sexual victimization of women.

And finally, feminists, when asked to defend an anti-pornography stance despite a lack of scientific proof of a causal relationship between obscene material and sexual aggression, challenge society to examine its moral conscience and make a decision as to what is right and what is wrong.

Now that a pattern has been established for both the researchers and the feminists, examining the most recently published material addressing the pornography/aggression linkage should be useful in determining if those patterns or those of the 70's and 80's continue into the 1990's.

The International Journal of Law and Psychiatry published a series of articles dealing with the contested causal link issue. With the exception of one, the articles consisted of presentations and conclusions by researchers experienced in the quest for the causal link. The article standing alone was written by a feminist responding to the conclusions of the researchers and, in turn, presenting her own conclusions on the pornography/aggression linkage.

Berl Kutchinsky, the man who conducted the landmark Denmark study in 1973, continues to write on the issue of pornography today. In 1991, Kutchinsky offers acknowledgment that laboratory studies have shown that a certain degree of increased 'aggressiveness' has been found under certain circumstances after exposure to some forms of pornography.

However, Kutchinsky states that to extrapolate from such laboratory effects to the commission of rape in real life is dubious.²⁹ Kutchinsky conducted his own study on the causal relationship by examining rape statistics in four countries for which the availability of pornography has steadily increased over a twenty-year period. The hypothesis was that, if a causal link exists between pornography and sexual violence, then rape rates for those countries should have increased during that twenty-year period more than they would have for nonsexual violent crimes. The results showed that in none of the countries did rape increase more than the rate for nonsexual violent crimes which lead Kutchinsky to conclude that:

Most other research data we have about pornography and rape suggest that the link between them is more than weak. And our knowledge about the contents, the uses and the users of pornography suggests that pornography does not represent a blueprint for rape, but is an aphrodisiac, that is, food for the sexual fantasy of persons - mostly males - who like to masturbate.³⁰

William A. Fisher and Azy Barak review many of the important studies conducted with respect to the causal link issue and conclude that, "the existing research is not yet adequate, in methodology or conclusions, to serve as a basis for public policy or legal judgments with respect to pornography."³¹ Fisher and Barak believe that future research must be conducted in a naturalistic setting if conclusive answers are ever to be found.

Augustine Brannigan, who has written numerous articles

concerned with the pornography/aggression linkage, echoes many of his contemporaries when he suggests methodological limitations exist in most completed studies examining the causal link. Brannigan criticizes the various evidence collecting procedures in use and concludes that:

...it would seem more plausible to consider the pornographic as a scapegoat which exemplifies all the sexist tendencies of our culture than to theorize its role as a determinate cause of sexist attitudes and sexual aggression in our societies. Sexism predates pornography, and gender emancipation requires stronger medicine than censorship, and indeed may require freedom from censorship.³²

Kathleen A. Lahey, who offers the feminist point of view with respect to the pornography/aggression linkage, provides criticism to consider when challenging the conclusions made by Kutchinsky as well as those made by Fisher and Barak.

Lahey contends that her experiences as a woman has led her to the knowledge that pornography does harm women. She feels the harmful effects of pornography should be of concern to the state. Lahey believes that, rather than evaluating the relationship between pornography and men, society, and those researchers seeking answers to better that society, must learn to listen to women. It is women, says Lahey, who provide the most accurate information as to the harmful effects of pornography.³³

Lahey quickly discounts Kutchinsky's conclusions by asserting allegations of flawed methodology in the latter's research design. Citing other studies which contradict Kutchinsky's methods and results, Lahey casts doubt as to the

validity of Kutchinsky's study.³⁴

Lahey also dismisses Fisher and Barak's contention that social science research is too 'artificial' to be of any real value. Lahey believes the artificiality argument ignores women's realities. She goes on to state that the conditions of the laboratory all too accurately reflect the real world and may, in fact, understate the effect of pornography on male aggression toward women.³⁵

Lahey provides a list of study results conducted by researchers other than those she challenges. Those quoted results are as follows:

1. Exposure to violent or sexual material increases male aggression levels against women.
2. Exposure to violent pornography has a more pronounced effect on aggression levels than does exposure to nonviolent sexual materials.
3. There is a satiation effect in the consumption of pornography - subjects remain interested in pornography only if they are as or more explicit than previous material.
4. Rape rates tend to be highest in jurisdictions where the most pornography is consumed.
5. Exposure to pornography tends to reduce levels of upset at sexual violence and to under-rate the seriousness of injuries to women.
6. Exposure to the rape myth in pornography leads to greater acceptance of the rape myth, of rape itself, and of violence against women.³⁶

Notice that none of the conclusions support a causal link, but all purport the negative effects of pornography.

Lahey concludes her essay by stating that sexual assaults and sexually violent attacks are caused by imposing

pornographic ideals on women in the production, use, or replication of pornographic motifs.³⁷

The pattern in the 1990's appears to be the same observed in the 70's and 80's. Researchers are still unable to prove or disprove the existence of a pornography/aggression linkage and the feminist response is similar to past retorts.

Researchers seem to be stuck in their efforts to move forward in the journey toward more conclusive answers and feminists continue to steer the public into assuming that research efforts showing a correlation between pornography and sexual violence is proof of a causal link.

Of course it must be noted that there are some researchers who tend to support a pornography/aggression linkage just as there are some feminists who recognize correlation as separate from causation and do not jump on the feminist causation bandwagon.

Although researchers and feminists may appear to be at odds over the causal link issue, they, for the most part, certainly will agree that pornography is an unfortunate ingredient within our society. With few exceptions, members on both sides of the causal link issue would like to see our society free of the pornographic phenomenon which has recently become so pervasive. The dilemma is that conservative feminists advocate censorship of obscene material based on the familiar phrase, "Pornography is the theory, rape is the practice." Social science researchers, who appear to lean

toward a more liberal point of view, tend to be anti-censorship and would not advocate censorship under any conditions. They would oppose a ban on materials based on a causal link factor which cannot be proven. While researchers are likely to wish that pornography had never evolved in the first place, they may decide to consider it a necessary evil if the only alternative is censorship based on a theory which is impossible to prove at this time.

NOTES

¹ Berl Kutchinsky, "The Effects of Easy Availability of Pornography on the Incidence of Sex Crimes: The Danish Experience," Journal of Social Issues 29 (1973): 180-181.

² Dean D. Knudsen, "Child Sexual Abuse and Pornography: Is There a Relationship?" Journal of Family Violence 3, no. 4 (1988): 265.

³ John B. McConahay, "Pornography: The Symbolic Politics of Fantasy," Law and Contemporary Problems 51, no. 1 (1988): 65.

⁴ Augustine Brannigan and Andros Kapardis, "The Controversy Over Pornography and Sex Crimes: The Criminological Evidence and Beyond," Australian and New Zealand Journal of Criminology 19 (1986): 259.

⁵ Edward Donnerstein and Daniel Linz, "Mass Media Sexual Violence and Male Viewers," American Behavioral Scientist 29 (1985): 617.

⁶ Larry Baron and Murray A. Straus, "Four Theories of Rape: A Macrosociological Analysis," Social Problems 34, no. 5 (1987): 483.

⁷ Ibid.

⁸ Daniel Linz, Edward Donnerstein, and Steven Penrod, "The Findings and Recommendations of the Attorney General's Commission on Pornography: Do the Psychological 'Facts' Fit the Political Fury?" American Psychologist 42, no. 10 (1987): 952-53.

⁹W.L. Marshall, "The Use of Sexually Explicit Stimuli by Rapists, Child Molesters, and Non-offenders," Journal of Sex Research 25 (1988): 265.

¹⁰M. Dwayne Smith and Carl Hand, "The Pornography/Aggression Linkage: Results From a Field Study," Deviant Behavior 8, no. 4 (1987). 397.

¹¹M.H. Silbert and A.M. Pines, "Pornography and Sexual Abuse of Women," Sex Roles 10 (1984): 863.

¹²Mary Kay Blakely, "Is One Woman's Sexuality Another Woman's Pornography?" Ms., April 1985, 40.

¹³Laura Lederer, ed. Take Back the Night. (New York: William Morrow & Company, Inc., 1980), back flap.

¹⁴Ibid., 5.

¹⁵Pauline B. Bart and Margaret Josza, "Dirty Books, Dirty Films, and Dirty Data," in Take Back the Night, ed. Laura Lederer (New York: William Morrow & Company, Inc., 1980), 216-17.

¹⁶Caryn Jacobs, "Patterns of Violence: A Feminist Perspective on the Regulation of Pornography," Harvard Women's Law Journal 7, no. 1 (1984): 33.

¹⁷Patricia Hughes, "Pornography: Alternatives to Censorship," Canadian Journal of Political and Social Theory 9, no. 1-2 (1985): 105.

¹⁸Lorenne Clark, "Pornography's Challenge to Liberal Ideology," Canadian Forum 59, no. 697 (1980): 10.

¹⁹Kate Ellis, "I'm Black and Blue From the Rolling Stones and I'm Not Sure How I Feel About It: Pornography and the Feminist Imagination," Socialist Review 14, no. 3-4 (1984): 105-6.

²⁰Ibid.

²¹Robin Morgan, "How to Run the Pornographers Out of Town," Ms., November 1978, 78.

²²Ibid., 80.

²³Thelma McCormack, "Passionate Protests: Feminists and Censorship," Canadian Forum 59, no. 697 (1980): 8.

²⁴Lynn Chancer, "Pornography Debates Reconsidered," New Politics 2, no. 1 (1988): 78.

²⁵Lewis H. Lapham (moderator), "The Place of Pornography: Packaging Eros for a Violent Age," Harper's, November 1984, 35.

²⁶Ibid., 36.

²⁷Ibid.

²⁸Dolf Zillmann, "Effects of Prolonged Consumption of Pornography," in Pornography: Research Advances & Policy Considerations, eds. Dolf Zillmann and Jennings Bryant (Hillsdale, N.J.: Lawrence Erlbaum Associates, Inc., Publishers, 1989), 153-55.

²⁹Berl Kutchinsky, "Pornography and Rape: Theory and Practice?" International Journal of Law and Psychiatry 14, no. 1/2 (1991): 61.

³⁰Ibid., 62.

³¹William A. Fisher and Azy Barak, "Pornography, Erotica, and Behaviour: More Questions than Answers," International Journal of Law and Psychiatry 14, no. 1/2 (1991): 80.

³²Augustine Brannigan, "Obscenity and Social Harm: A Contested Terrain," International Journal of Law and Psychiatry 14, no. 1/2 (1991): 10.

³³Kathleen A. Lahey, "Pornography and Harm - Learning to Listen to Women," International Journal of Law and Psychiatry 14, no. 1/2 (1991): 117.

³⁴Ibid., 123.

³⁵Ibid., 124.

³⁶Ibid., 119.

³⁷Ibid., 129.

CHAPTER 4

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

SUMMARY

The purpose of this study was to examine the pornography phenomenon in America, concentrating largely on the controversy concerning the pornography/aggression linkage.

The detailed literature review examining the pornography industry in this country provided the reader with a clear understanding that pornography is not a minor social issue, but rather a multi-billion dollar per year business.

Further literature review gave the reader the opportunity to consider the extent of relevant laboratory and field studies which have been undertaken in an effort to either corroborate or refute the existence of a causal link between pornography and sexual aggression.

In summary, this study provided the reader with much information, but little in the way of definitive answers. That is not to say the study was of no value. The pornography/aggression linkage question is an issue which confounds experts in the field and, as such, is certainly a topic for which this author cannot render any conclusions free from challenge by those with differing opinions. However, by collecting data from a wide variety of sources in the area of pornography and its effect upon society, this study may provide some insight for those continuing to seek answers. Perhaps some innovative, budding social scientist will develop

a method of field experimentations which has not yet been considered. Perhaps not. But the responsibility to continue the quest for answers in order to benefit our society is a task which must be endured until all possibilities have been exhausted. If this author has provided information which does help in this effort, then the study is proven worthy.

CONCLUSIONS

The only conclusion which can be positively stated as a result of this study is that attempting to associate the variables "pornography" and "sexual aggression" with a cause and effect formula is an extremely complex effort.

Easily proven is a cause and effect relationship whereby placing one's finger into a flame for longer than a split second results in that finger being burned. It happens every time.

The confusion when attempting to prove a cause/effect relationship between pornography and sexual aggression is in trying to determine just exactly what causes what. The independent variable, pornography, can be just about anything from soft-core simulation of sexual activity on a theater screen to actual hard-core pictures involving children and animals. The dependent variable, sexual aggression, can be anything from fondling an unwilling participant to raping and killing a victim. What kind of and how much pornography causes what kind of sexual aggression? And, the pornography which "causes" one man to commit acts of sexual violence

against another may have little or no effect on another man. Does society ban a product which may produce negative effects only in a small majority of the people?

Clearly evident throughout this study is the constant debate between those who have dedicated themselves toward the study of pornography and its effect upon society. Worth noting is the position of some of these scholars with regard to the pornography/aggression linkage. Often, researchers budge just off of the fencepost one way or the other. They may state a conclusion, but extenuating factors are disclosed as a way of acknowledging that nothing tends to be absolute. However, with respect to the pornography/aggression linkage, many scholars jump far off the fencepost, taking a firm stand on a very complex issue. Consider Berl Kutchinsky who contends that pornography in fact decreases aggression and then reflect on the opinions of Laura Lederer who is absolutely convinced pornography is an absolute horror which threatens violence against all women. Kutchinsky and Lederer have jumped far off of the fencepost in opposite directions.

The divergent points of view on the subject of pornography and sexual aggression serve to create questions rather than provide answers. Ultimately, the individual studying the issue must make his or her own conclusions based on available information. That conclusion will probably be based on a mixture of fact and emotion.

RECOMMENDATIONS FOR FUTURE RESEARCH

The time has come to move out of the laboratory and concentrate study efforts in the arena where the questioned harm actually occurs. The vast majority of research on the topic of a pornography/aggression linkage has been conducted in the laboratory. Attempts to continue research in a naturalistic setting is the logical step to undertake. A desirable feature of naturalistic setting research designs is the opportunity to examine the effect of exposure to violence and pornography during a realistic lag time between exposure to obscene materials and any aggressive action. The laboratory lag times have traditionally been but a few minutes.

The greatest flaw of naturalistic setting research designs studying the effects of pornography is the inability to adequately control the vast array of possible extraneous factors which could skew results. Pornography studies in a naturalistic setting will suffer from limitations found with any field research. However, we must continue the effort. As the topic of a pornography/aggression linkage develops and further research is mandated by those forming public policy, relevant field studies will become necessary. The question is, what kind of a research design can be developed which adequately studies the effects of pornography upon the actual users of the product within the setting that the product is used? Whoever develops such a design will be held in high esteem by those currently struggling to find

answers. However, the results of such a design will surely be subject to criticism from those sitting on the opposite side of the fence from where the conclusions settle. Emotion surrounding the pornography/aggression linkage is perhaps too strong for the issue to ever be settled. Nevertheless, we will keep trying for that is our responsibility.

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